SECURITIES LITIGATION :

THIS DOCUMENT RELATES TO:

IN RE VEECO INSTRUMENTS INC.

ALL ACTIONS :

NOTICE OF MOTION AND MOTION IN LIMINE TO PRECLUDE EVIDENCE REGARDING VEECO'S USE OF FISCAL QUARTERS

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and papers in support thereof, and all prior papers and proceedings had herein, Defendants in this action will move this Court, before the Honorable Colleen McMahon, at a date and time to be determined by the Court, for an order to Prelude Evidence Regarding Veeco's Use Of Fiscal Quarters.

Dated: New York, New York June 6, 2007

GIBSON, DUNN & CRUTCHER LLP

No. 7:05-MD-01695-CM-GAY

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